

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NORTH DAKOTA  
EASTERN DIVISION

UNITED STATES OF AMERICA,

Plaintiff,

v.

STEVEN LEE RUDOLPH,

Defendant.

Case No. 3:17-cr-160

**UNITED STATES' RESPONSE TO  
DEFENDANT'S MOTION TO  
CONTINUE SENTENCING**

The United States of America, by Christopher C. Myers, United States Attorney for the District of North Dakota, and Brett M. Shasky, Assistant United States Attorney, hereby opposes the Defendant's Motion to Continue Sentencing. The undersigned was given courtesy notice by defense counsel that this motion was going to be filed. The United States advised counsel that such a request would have to be discussed with the family of the victim in this case before the United States would take a position. Based upon discussions with the family, the United States cannot agree to a continuance of sentencing for the following reasons:

1. The parties have had the presentence investigation report for sufficient time to review its contents and make any objections, corrections, etc., and to formulate their sentencing recommendations;
2. The parties have received restitution information, which may or may not lead to an agreement on the amount to be included in the judgment in this case, but that matter need not be finalized at the time of sentencing, and is not as time sensitive as the sentencing itself;

3. The parents of the victim have had to adjust schedules to allow them to appear for sentencing, which is their right under the Crime Victim's Rights Act, and they are not sure it will be possible to do so again should the matter be continued; and
4. The family has been waiting since the death of their son and brother on March 31, 2016, to have some closure and put this matter behind them to start the healing process, and any continuances simply delay their ability to do so.

While the defendant's concerns are not without value, they have to be weighed against the concerns and rights of the victim's family. For these reasons, the United States opposes the motion to continue sentencing, and requests the motion be denied.

Dated: November 16, 2017

CHRISTOPHER C. MYERS  
United States Attorney

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